



PATENT
Customer No. 22,852
Attorney Docket No. 7528.0003-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Todd J. MORTIER et al.

Application No.: 10/679,691

Filed: October 7, 2003

For: VALVE TO MYOCARDIUM
TENSION MEMBERS DEVICE
AND METHOD

)
)
) Group Art Unit: 3738
)
) Examiner: D. Willse
)
)
) Confirmation No.: 3569
)
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO/SB/08. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action after the filing of a Request for Continued Examination (RCE) in the above-referenced application.

A copy of the listed foreign document is enclosed. Copies of the U.S. patents and published patent applications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

An English language Derwent Abstract of the non-English document (DE 198 26 675 A1) is provided herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

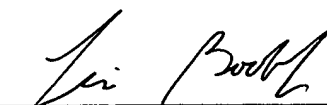
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 7, 2005

By: 

Leslie I. Bookoff
Reg. No. 38,084

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First Named Inventor Todd J. Mortier

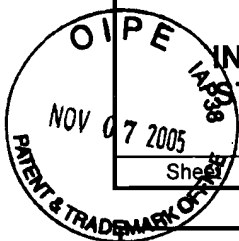
Art Unit 3738

Examiner Name D. H. Willse

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Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		DE 198 26 675 A1	Mar 1999	Haindl		

NON PATENT LITERATURE DOCUMENTS			
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